

Senate Bill No. 345

Passed the Senate August 24, 2009

Secretary of the Senate

Passed the Assembly August 17, 2009

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2009, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 31787.65 to the Government Code, relating to death benefits.

LEGISLATIVE COUNSEL'S DIGEST

SB 345, Negrete McLeod. Government of counties: death benefits.

Existing law prescribes special death benefits that are payable to the surviving spouse and children of a safety member of a county retirement system, who would have been entitled to retirement as a result of a service-connected disability, but dies prior to retirement, as provided.

This bill would require the special death benefit payable to the surviving spouse or eligible children of a safety member, employed by San Bernardino County, to increase at any time and to the extent the compensation is increased for then-active members, as specified.

This bill also requires that this section will not become operative until adopted by resolution by the board of supervisors of a county of the 7th class.

The people of the State of California do enact as follows:

SECTION 1. Section 31787.65 is added to the Government Code, to read:

31787.65. (a) For purposes of Section 31787, the final compensation upon which the special death benefit is calculated for the eligible surviving spouse or eligible children of a safety member killed in the performance of his or her duty shall be increased at any time the increase is effective and to the extent the compensation is increased for then-active members employed in the job classification and membership category that was applicable to the deceased member at the time of the injury, or the onset of the disease, causing death. The deceased member's final compensation shall be deemed to be subject to further increases hereunder only until the earlier of (1) the death of the surviving

spouse or eligible children or (2) the date that the deceased member would have attained the age of 50 years.

(b) This section applies only to a county of the seventh class, as defined by Sections 28020 and 28028, as amended by Chapter 1204 of the Statutes of 1971, and shall not be operative until the board of supervisors, by resolution, makes this section applicable in the county. A resolution to make this section operative in the county shall specify whether these provisions apply retroactively or prospectively only.

Approved _____, 2009

Governor